

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

vs.

DESHONDA T. ALFORD,

Defendant-Appellant.

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Case No. 3:08-po-57

JUDGE WALTER HERBERT RICE

ENTRY DIRECTING DEFENDANT TO SHOW CAUSE WHY HER
APPEAL SHOULD NOT BE DISMISSED FOR WANT OF
PROSECUTION; REQUEST OF THE UNITED STATES MARSHALS
SERVICE

Following her conviction at trial before United States Magistrate Judge Michael Merz on July 16, 2008, and her sentencing thereon on November 12, 2008, a sentence journalized by Judgment Entry filed November 18, 2008 (Doc. #15), the Defendant filed a timely notice of appeal to the undersigned United States District Judge. This Court did not place a briefing schedule on the record, following the filing of the notice of appeal; nor has the Defendant-Appellant filed such a brief within the past almost three years. Moreover, on February 3, 2009, at the request of the United States Pretrial Services Office, Magistrate Judge Merz

ordered a warrant for the Defendant's arrest, due to her alleged violation of the conditions of her bond.

Simply to get this matter moving toward final resolution, it is the order of this Court that the Defendant-Appellant show cause, not later than the close of business on Friday, October 28, 2011, why her appeal should not be dismissed for want of prosecution. Defendant-Appellant may demonstrate good cause by the filing of her brief in support of her appeal on or before the above referenced October 28, 2011. If good cause is shown, by the filing of Defendant-Appellant's brief on the merits of her appeal, the Plaintiff-Appellee will have until the close of business on Wednesday, November 30, 2011, within which to file its brief on the merits of the Defendant's appeal, with the Defendant-Appellant having ten days thereafter to file whatever reply memorandum is deemed necessary.

This Court would request the United States Marshals Service to contact the Pretrial Services Office to receive any information concerning the Defendant-Appellant's last known address, in order that it might attempt to serve the arrest warrant ordered by Magistrate Judge Merz on February 3, 2009.

Should the Defendant-Appellant be among the missing by the time aforesaid for her to show cause why her appeal should not be dismissed for want of prosecution, the Court should be so advised by her counsel, and the captioned appeal will be dismissed for want of prosecution.

September 27, 2011



WALTER HERBERT RICE
UNITED STATES DISTRICT JUDGE

Copies to:

Counsel of record
United States Marshal